



TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON WEDNESDAY, MAY 8, 2013

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 9:04 a.m. on Wednesday, May 8, 2013, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Rosow led the Pledge of Allegiance.

Council President Rosow stated that, at yesterday's meeting, he incorrectly stated that Staff was the one who determined that the seating capacity of the Royal Poinciana Playhouse had to be reduced. He clarified that this determination was actually made by the National Arts Institute's (NAI) architects and engineers. He added that he had received a public records request regarding his participation in the lease negotiations with NAI and Sterling Palm Beach. He stated for the record that his participation was done in an individual capacity, and not as Town Council President; therefore, any related records are not public record.

III. APPROVAL OF AGENDA

Motion was made by Council Member Diamond, and seconded by Council Member Pucillo, to approve the Agenda. On roll call, the motion carried unanimously.

IV. CONSIDERATION OF SAND MANAGEMENT AT LAKE WORTH INLET, INCLUDING TOWN OF PALM BEACH VS. THE UNITED STATES OF AMERICA, CIVIL ACTION NO. 09-64L, IN THE UNITED STATES COURT OF FEDERAL CLAIMS.

Mayor Coniglio introduced Colonel Alan Dodd, District Engineer, Lieutenant Colonel Thomas Greco, Deputy District Engineer, David Hobbie, Deputy District Engineer for Programs and Project Management, and Tim Murphy, Project Manager, with the United States Army Corps of Engineers (USACE). She spoke regarding the history of the relations between the Town and the USACE, and the agreement that the Town and the

USACE had come to regarding sand management at the Lake Worth Inlet. She stated that, together, we have developed a "215 Agreement" that will allow the USACE to fully reimburse the Town for the cost of extending the sand transfer plant pipeline, if the Town decides to move forward with that project. She added that USACE has sent the Town a letter committing to maintain a strong collaborative approach, including monthly conference calls, occasional face-to-face meetings, and cooperative action on all of these matters going forward. She then requested that the Town Council authorize Attorney Jerry Stouck to dismiss the lawsuit between the Town and the USACE.

Council Member Pucillo recommended that the dismissal be made with prejudice.

Motion was made by Council Member Diamond, and seconded by Council Member Kleid, to dismiss the lawsuit, with prejudice, between the Town and the USACE. On roll call, the motion carried unanimously.

V. ANY OTHER MATTERS – None

VI. ADJOURNMENT

There being no further business, the May 8, 2013, special Town Council meeting was adjourned at 9:18 a.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Susan A. Owens, MMC
Town Clerk

6/11/13
Date

